

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

COSME GOMEZ, Antonio et al. : Confirmation No.: 4970

Serial No.: 10/573,329 : Art Unit: 1614

Filing Date: March 24, 2006

For: CRYSTALLINE FORM OF
GATIFLOXACIN

REQUEST FOR SECOND CORRECTED FILING RECEIPT

Commissioner for Patents

February 5, 2007

P. O. Box 1450

Alexandria, VA 22313-1450

*Attn.: Office of Initial Patent Examination
Customer Service Center*

Dear Sir:

Applicant respectfully requests that another corrected filing receipt be issued in connection with the above-identified patent application. Specifically, as indicated in the marked-up enclosed copy of the filing receipt, the first name of the first inventor was not added as "Antonio Cosme Gomez".

It is respectfully advised that the first name of the first inventor had been set forth as above in the Application Data Sheet as filed with the application, and accordingly it is submitted that correction is appropriate. A copy of the Application Data Sheet as filed is enclosed herewith for your reference.

It is respectfully requested that the correction be entered into the record and that another corrected filing receipt be forwarded to us at your earliest convenience.

It is believed that no fee is due in this connection. However, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 23-2820.

Respectfully submitted,



Noam R. Pollack

Reg. No. 56,829

For WOLF BLOCK SCHORR & SOLIS-COHEN LLP

250 Park Avenue, Suite 1000
New York, NY 10177
Telephone: (212) 986-1116
Facsimile: (212) 986-0604
E-mail: pto@wolfblock.com



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL. NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/573,329	03/24/2006	1614	450	OF1001.830903	6	5	2

CONFIRMATION NO. 4970

21831
 WOLF BLOCK SCHORR AND SOLIS-COHEN LLP
 250 PARK AVENUE
 NEW YORK, NY 10177

CORRECTED FILING RECEIPT



0000000022136765

Date Mailed: 01/24/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

→ Antonio Cosme Gomez, Torres de Alameda, SPAIN;
 Javier Villasante Prieto, Madrid, SPAIN;
 Francisco Palomo Nicolau, Alcala De Henares, SPAIN;

Power of Attorney: The patent practitioners associated with Customer Number 21831.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/IB04/03652 11/05/2004

Foreign Applications

SPAIN P-200302643 11/13/2003

If Required, Foreign Filing License Granted: 10/28/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/573,329**

Projected Publication Date: 02/08/2007

Non-Publication Request: No

Early Publication Request: No

Wolf Block

JAN 30 2007

Received

**** SMALL ENTITY ****

Title

Crystalline form of gatifloxacin

Preliminary Class

514

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Application Data Sheet

Application Information

Application number::

Filing Date::

Application Type:: *Regular*Subject Matter:: *Utility*

Suggested classification::

Suggested Group Art Unit::

CD-ROM or CD-R?: *None*

Number of CD disks::

Number of copies of CDs::

Sequence submission?: *None*Computer Readable Form
(CRF)?:: *No*

Number of copies of CRF::

Title :: *CRYSTALLINE FORM OF
GATIFLOXACIN*Attorney Docket Number:: *932-1360 OFI 001 830903*Request for Early Publication?: *No*Request for Non-Publication?: *No*

Suggested Drawing Figure::

Total Drawing Sheets:: *3*Small Entity?: *Yes*

Latin name::

Variety denomination name::

Petition included?: *No*

Petition Type::

Licensed US Govt. Agency::

Contract or Grant Numbers::

Secrecy Order in Parent Appl.?: *No*

Applicant Information

Applicant Authority Type:: *Inventor*
Primary Citizenship *Spain*
Country::
Status:: *Full Capacity*

Given Name:: *Antonio*
Middle Name::
Family Name:: *Cosme Gomez*
Name Suffix::
City of Residence:: *Torres de Alameda*
State or Province of
Residence::
Country of Residence:: *Spain*
Street of mailing address:: *C. Angustias, 28*
City of mailing address:: *Torres de Alameda*
State or Province of
mailing address::
Country of mailing
address:: *Spain*
Postal or Zip Code of
mailing address:: *28813*

NOTE: Repeat this information for each inventor or other applicant. Non-Inventor applicant information such as legal representative of a deceased inventor should follow the inventor(s) for whom the applicant is acting.

Applicant Information

Applicant Authority Type:: *Inventor*
Primary Citizenship Country:: *Spain*
Status:: *Full Capacity*

Given Name:: *Javier*
Middle Name::
Family Name:: *Villasante Prieto*
Name Suffix::
City of Residence:: *Madrid*
State or Province of Residence::
Country of Residence:: *Spain*
Street of mailing address:: *C. Juan Esplandiú nº 4, 3º*
Escalera, 2º Izquierda
City of mailing address:: *Madrid*
State or Province of mailing address::
Country of mailing address:: *Spain*
Postal or Zip Code of mailing address:: *28007*

Applicant Information

Applicant Authority Type:: *Inventor*

Primary Citizenship Country:: *Spain*

Status::

Full Capacity

Given Name:: *Francisco*

Middle Name::

Family Name:: *Palomo Nicolau*

Name Suffix::

City of Residence:: *Alcala de Henares*

State or Province of
Residence::

Country of Residence:: *Spain*

Street of mailing address:: *C. Félix Yuste, 22*

City of mailing address:: *Alcala de Henares*

State or Province of
mailing address::

Country of mailing
address:: *Spain*

Postal or Zip Code of
mailing address:: *28804*

Correspondence Information

Correspondence Customer Number :: 21831

Name::

Street of mailing address::

City of mailing address::

State or Province of mailing address::

Country of mailing address::

Postal or Zip Code of mailing address::

Phone number:: (212) 768-3800

Fax Number: (212) 382-2124

E-Mail address:: pto@steinbergzaskin.com

Representative Information

Representative Customer Number::	21831	
-------------------------------------	-------	--

Domestic Priority Information

Application ::	Continuity Type::	Parent Application::	Parent Filing Date::
<i>This Application</i>	<i>National Stage of</i>	<i>PCT/IB04/03652</i>	<i>11/05/04</i>

Foreign Priority Information

Country::	Application number::	Filing Date::	Priority Claimed::
Spain	P-200302643	11/13/03	Yes

Assignee Information

Assignee name:: *Química Sintética, S.A.*
Street of mailing address:: *Gran Via Carles III, 98, 7e. Edifici*
Trade
City of mailing address:: *Barcelona*
State or Province of mailing address::
Country of mailing address:: *Spain*
Postal or Zip Code of mailing address:: *08028*